

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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DEC 12 2003

Federal Communications Commission
Office of Secretary

In the Matter of)

Amendment of Parts 2, 73, 74 and 90 of the) ET Docket No. 03-158
Commission's Rules to Permit New York)
Metropolitan Area Public Safety Agencies to) MB Docket No. 03-159
Use Frequencies at 482-488)

ORIGINAL

To Office of the Secretary, c/o David N Roberts, Media Bureau/Video Division

**REQUEST FOR ACCESS TO
CONFIDENTIAL TECHNICAL REPORT**

Counsel for Tribune Television Company ("TTC"), licensee of WPHL(TV), Philadelphia, Pennsylvania, hereby requests access to the complete Technical Report submitted to the FCC by the Police Department of the City of New York ("Department") under seal in the above-referenced proceeding. TTC is one of the parties that submitted comments in the above-referenced proceeding and the undersigned is TTC's counsel of record. Pursuant to the terms of the Protective Order adopted by the Media Bureau, counsel for Tribune Television has attached an executed and notarized Acknowledgment of Confidentiality. *See Order Adopting Protective Order & Accompanying Protective Order*, DA 03-3880, ET Docket 03-158 & MB Docket 03-159, ¶ 5, released December 4, 2003.

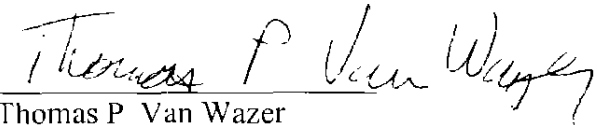
Due to an administrative oversight, this Request for Access has been filed one day after the time specified in the Protective Order. Because no party has been prejudiced by this one day delay, counsel for TTC requests that access be provided to the complete Technical Report. Counsel for TTC also notes that disclosure to TTC was clearly contemplated by Section 3 and Appendix C of the *Protective Order*.

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Please direct any questions regarding this request to the undersigned

Respectfully submitted,

TRIBUNE TELEVISION COMPANY

By: 

Thomas P. Van Wazer

SIDLEY AUSTIN BROWN & WOOD LLP

1501 K Street, NW

Washington, DC 20005

202-736-8000

Its Attorney

Dated December 12, 2003

APPENDIX B

ACKNOWLEDGMENT OF CONFIDENTIALITY

I hereby acknowledge that I have received and read a copy of the foregoing Protective Order in the above-captioned proceeding and I understand it. I agree that I am bound by this Order and that I shall not disclose or use the Confidential Document or any information gained therefrom except as allowed by the Order. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order accrues to the Police Department of the City of New York.

Without limiting the foregoing, I acknowledge specifically that my access to any information obtained as a result of the Order is due solely to my capacity as counsel to, or representative or employee of, a party or other person described in Paragraph 3 of the foregoing Protective Order and that I will not use such information in any other capacity nor will I disclose such information except as specifically provided in the Order.

Executed at 1st in this 17th day of December, 2003

Thomas P. Van Wagoner
Signature

Counsel for Tribune Television
Title
Company

Washington, District of Columbia

On this 12th day of December, 2003

personally appeared before me and acknowledged that
he/she executed the foregoing instrument.

Katherine Watson Notary Public

My Commission Expires April 30, 2007

CERTIFICATE OF SERVICE

I, Tami Smith, hereby certify that a copy of the foregoing "**Request for Access to Confidential Technical Report**" has been faxed to John Logan, Special Counsel to the Police Department of the City of New York at 202-318-4257 and has also been mailed, first-class, postage prepaid to Mr Logan at the following address.

John E Logan
Special Counsel to the
Police Department of the City of New York
1050 Connecticut Avenue, N.W
Tenth Floor
Washington, D.C 20036

A handwritten signature in cursive script, reading "Tami Smith", is written over a horizontal line.